



PROPERTY RIGHTS AND PIPELINE CENTER

PipelineCenter.org

A national advocacy network for landowners facing eminent domain for pipelines

April 6, 2021

The Honorable Jocelyn G. Boyd
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29210

VIA EMAIL: contact@psc.sc.gov

RE: April 16th Workshop on Electric Systems and Gas Systems

Dear Ms. Boyd:

I hereby give notice that I intend to participate virtually in the April 16th, 2021 workshop concerning electric and gas systems.

The Property Rights and Pipeline Center is a national network of eminent domain-threatened landowners. In our group farmers, ranchers, hunters and anglers join environmental activists, land trust advocates, and small landowners in a national alliance. Pipeline projects that threaten arable land or drinking water also threaten parks, homes, schools and nursing homes located within the potential leak radius or the even scarier “blast zone.” We believe that companies that foul the local environment and add carbon dioxide to the atmosphere should not take Americans’ property against their will. Indeed, Americans do not want a 20th-Century, dirty energy source forced into their backyards just so corporations can profit.

This is especially true as sustainable energy grows and the pitfalls of fossil fuels become ever evident.

My group writes today to tell you of our strong support of the proposal from the Southern Environmental Law Center, Upstate Forever, and the Friends of Beaverdam Creek submitted by Frank Holleman. This proposal addresses some of the concerns that we and others have about landowner property rights, property values, fairness, transparency, and environmental justice when gas utilities propose to build pipelines using the government's awesome power of eminent domain. It is quite commendable that this Commission has undertaken to review these regulations and we hope that you will decide to make these proposed changes that would ensure a better, more equitable process.

Our group has been involved in South Carolina for a while. In the past, we supported Savannah Riverkeeper's fight against the Palmetto Pipeline, and currently we have offered organizing and given financial support to the community fighting the River Neck to Kingsburg Pipeline in Florence County, SC. We also presented at the Blue Ridge Environmental Defense League's Public Forum on gas pipelines in South Carolina this past February. The Florence County community, already home to one pipeline, has been dealt with unfairly and with no regard to environmental justice. Usually, landowners' first inkling that a pipeline is coming is the brusque visit of an unsympathetic and often untruthful land agent or an obtusely worded letter that is hard for even lawyers to parse. Perhaps worse, people in Florence County have been given insultingly low offers of purported "just" compensation with the threat of involuntary taking hanging over their heads. Furthermore, the forum that Dominion did hold to tell the community about the project was held once and in the afternoon when many were at work and unable to attend. People's homes can be taken and land, farms, businesses, and legacies ruined all with zero

The process by which a company decides to build or expand a pipeline must be transparent, allow for public input and consider the affected

community. We consider these items to be of utmost importance when a company seeks to build a pipeline:

- An accurate and detailed map as well as a detailed, description of the project -- written in easy-to-understand and jargon-free language -- should be given to each landowner and adjacent landowner of the proposed project.
- Each landowner should be given a summary of their rights under South Carolina law and information on how to participate in any public hearing being convened.
- All land agents should be required to tell the truth to landowners and landowners should be notified of the Commission's complaint procedures if a land agent is believed to have told an untruth.
- Mutually agreed upon just compensation should be given to (or held in escrow for) the landowner before any construction, or pre-construction, happens on their land.
- Environmental justice considerations should be required before a potential pipeline is sited.
- Any easement negotiated by the pipeline company should be required to end with the completion or dissolution of that specific pipeline project.

This Commission now has the opportunity to set a clear process in South Carolina that fixes some of these issues. The Property Rights and Pipeline Center urges the Commission to consider and approve the aforementioned proposal to amend Sub-Article 9 of the South Carolina regulations on construction and/or extension of pipelines.

This Public Service Commission has an opportunity to make the state pipeline process fairer and it should take it. Thank you for your consideration of our concerns.

Sincerely,

Rebekah Sale

Rebekah Sale
Executive Director

Cc: Jeffrey M. Nelson, Esq., Office of Regulatory Staff
Roger Hall, Esq., Office of Consumer Affairs